

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A.#04-10550-WGY

JACQUELINE LASSITER

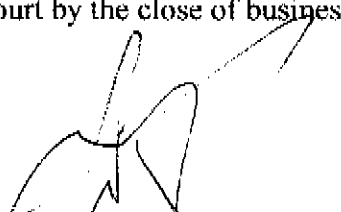
v.

KIMBER ANDERSON ET AL.

CERTIFICATE RELATIVE TO EFFORTS
MADE TO SUBMIT JOINT
DISCOVERY PLAN

I, W.Kendall, depose and say that:

1. I am counsel for the plaintiff.
2. I did attempt to contact George Kostakos, esq. on 4th June, '04 to discuss the drafting of a Joint Discovery Plan.
3. I did make another attempt to reach Attorney Kostakos by telephone, without success, before drafting a proposed (Joint) Discovery Plan, a facsimile of which I had transmitted at some time after 3:00 p.m. on 15th June, '04.
4. I did speak by telephone to Attorney Glickson on the afternoon of 15th June, '04, informed her that I had transmitted facsimiles of the Discovery Plan and suggested that counsel study the Plan so that we could discuss changes or amendments on the following day.
5. On 16th June, in the a.m., Attorney Glickson telephoned me and stated that the Plan had not been received.
6. In the very early afternoon of 16th June, '04, I had further facsimiles of the Plan transmitted to the office of Attorney Kostakos.
7. On the morning of 17th June, '04, I received a telephone message from Attorney Glickson who stated that counsel had difficulties with certain aspects of the Plan, including the deadline for the submission of Dispositive Motions and further indicated that if counsel was unable to confer with me, that the defendants would submit their own Plan.
8. I made three attempts to reach Attorney Glickson by telephone on 17th June, '04, the last of which was at approximately 5:50 p.m., without success.
9. I prepared a revised Discovery Plan in the evening of 17th June, '04, for filing with the Court, on behalf of the plaintiff, because I have to appear in the Roxbury District Court in the morning of 18th June, '04 and I do not anticipate that I will be able to contact Attorney Kostakos or Attorney Glickson and negotiate a Joint Discovery Plan which could be filed with the court by the close of business on 18th June, '04.


W.Kendall